

200 West Madison Street  
Suite 2100  
Chicago, Illinois 60606

312.214.7770 tel  
312.214.7715 fax

**Ryndak & Suri**

# Fax

**To: Petition Facsimile Number – United States Patent and Trademark Office**

**From:** Vangelis Economou

**Fax:** 571-273-0025

**Pages:** 14 pgs (including cover)

**Phone:**

**Date:** September 27, 2005

**Re:** U.S. Serial No. 09/981,145

**Ref:** 40199-10010

☐ **Urgent**    ☐ **For Review**    ☐ **Please Comment**    ☐ **Please Reply**    ☐ **Please Recycle**

● **Comments:**

Please see attached.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David H. DaCosta et al. Confirmation No. 6199  
Appl. No.: 09/981,145  
Filed: October 16, 2001  
Title: Fuel Gauge for Hydrogen Storage Media  
Grp./A.U.: 2856  
Examiner: Wilson, Katina M.  
Issue Fee Due Date: July 6, 2005  
Docket No. 40199-10010

**Certification under 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Office of Petition, at the following facsimile number: (571) 273-0025, and addressed to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**OFFICE OF PETITIONS**

**PETITION FOR WITHDRAWAL FROM ISSUE-ISSUE FEE PAID –  
TO PERMIT CONSIDERATION OF AN INFORMATION DISCLOSURE  
STATEMENT UNDER § 1.97 SUBMITTED WITH A REQUEST FOR  
CONTINUED EXAMINATION (37 C.F.R. § 1.313 (C)(2)**

Sir:

**PETITION**

1. Applicants hereby petition for the withdrawal of this application from issue.

**PATENT ISSUE FEE**

2. The issue fee for this case was paid on March 23, 2004. The application is scheduled to issue in the near future. An Issue Notification was mailed on September 21, 2005, but has not yet been received by Applicant's undersigned attorney.

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In re Appln. of David H. DaCosta et al.  
Appl. No.: 09/981,145  
Atty. Docket No. 40199-10010

### **REASON(S) FOR WITHDRAWAL REQUEST**

3. This is a second Petition to Withdraw from issuance in this application, and was necessitated by the receipt within the last two days of the search and examination report from the Chinese Patent Office, which cited references have not been considered by the USPTO.
4. The reasons for withdrawal from issue of this application is for consideration of an Information Disclosure Statement submitted concurrently with the accompanying request for continued examination application under 37 C.F.R. § 1.313(c)(2).

### **FILING OF REQUEST FOR CONTINUED EXAMINATION AND IDS**

5. Submitted concurrently herewith is a Request for Continued Examination being filed on the same date as this petition, and the Information Disclosure Statement.

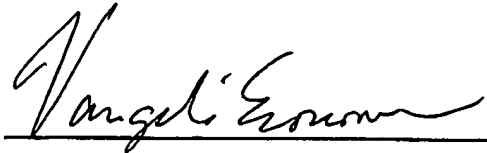
### **PETITION FEES (37 C.F.R. § 1.17(h))**

6. The petition fee set forth in § 1.17(h), required by 37 C.F.R. § 1.313(a), is paid by authorization to charge the amount of \$130.00 to Deposit Account No. 50-0503 and to charge

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Atty. Docket No. 40199-10010

any additional fees required by this paper or credit any overpayment in the manner authorized above.

Respectfully submitted,

A handwritten signature in black ink, reading "Vangelis Economou", written over a horizontal line.

Vangelis Economou, Reg. No. 32,341  
Attorney for Applicant

September 27, 2005

RYNDAK & SURI LLP  
200 W. Madison Street  
Suite 2100  
Chicago, Illinois 60606  
(312) 214-7770